

## **COMMENTS**

The enclosed is responsive to the Examiner's Office Action mailed on August 10, 2005. At the time the Examiner mailed the Office Action claims 1-20 were pending. By way of the present response the Applicant has: 1) amended claims 1 and 11, 2) added claims 21 and 22, and 3) canceled no claims. As such, claims 1-22 are now pending. The Applicant respectfully requests reconsideration of the present application and the allowance of all claims now presented.

### **Currently Amended Independent Claims:**

1. (Currently amended) A method, comprising:  
displaying a graphical user interface that allows a user to select, from a representation of a network that is presented on a graphical user interface, a first connection endpoint that is associated with a first access node of the network and a second connection endpoint that is associated with a second access node of the network;  
executing a routing algorithm to determine a path through the network amongst a plurality of possible paths through the network, the path and the possible paths each connecting the first connection endpoint and the second connection endpoint, the executing comprising:  
assigning respective weights to links and nodes within the network;  
changing the weights according to availability of resources;  
determining that the path has the lowest combined weight from the first connection endpoint to the second connection endpoint; and,  
provisioning a connection within the network that corresponds to the path, the provisioning comprising updating information held within a node that resides within the network and that resides along the path.
11. (Currently amended) A machine readable medium having instructions stored thereon that when executed by one or more processors cause the one or more processors to perform a method, the method comprising[.]:  
displaying a graphical user interface that allows a user to select, from a representation of a network that is displayed on the graphical user interface, a first connection endpoint that is associated with a first access node of the network and a second connection endpoint that is associated with a second access node of the network; and,  
causing a routing algorithm to be executed and a connection to be provisioned, the routing algorithm being executed to determine a path through the network amongst a plurality of possible paths through the network, the path and the possible paths each connecting the first connection endpoint and the second connection endpoint, the connection being provisioned within the network by updating information within a node that resides within the network and that resides along the path, the connection corresponding to the path, the executing comprising:

assigning respective weights to links and nodes within the network;  
changing the weights according to availability of resources;  
determining that the path has the lowest combined weight from the first  
connection endpoint to the second connection endpoint.

**Newly Added Independent Claim:**

21. (New) A method, comprising:  
displaying a graphical user interface that allows a user to select, from a representation of a packet network that is presented on a graphical user interface, a first connection endpoint that is associated with a first access node of the network and a second connection endpoint that is associated with a second access node of the network;  
executing a routing algorithm to determine a path through the network amongst a plurality of possible paths through the network, the path and the possible paths each connecting the first connection endpoint and the second connection endpoint; and,  
provisioning a connection within the network that corresponds to the path, the provisioning comprising updating information held within a node that resides within the network and that resides along the path.

The Examiner applied one reference, US Patent 6,370,154 (hereinafter "Wickham") in rejecting previously submitted independent claims 1 and 11.

Currently amended independent claims 1 and 11 are directed to, among others, assigning respective weights to links and nodes within the network, changing the weights according to availability of resources, and determining that the path has the lowest combined weight from the first connection endpoint to the second connection endpoint. The amendments to the claims 1 and 11 are supported by the Applicant's specification page 11 paragraph 3 through 4.

Wickham discloses detection of end to end selection of open Time Division Multiplex (TDM) time slots by determining the availability of a time slot at the 2<sup>nd</sup> end of the connection and the availability of time slots within each of the intervening nodes recursively, thereby determining a complete path between end points.

Wickham, however, does not teach, disclose, or suggest assigning respective

weights to links and nodes within the network, changing the weights according to availability of resources, and determining that the path has the lowest combined weight from the first connection endpoint to the second connection endpoint.

Therefore, Wickham fails to disclose, teach, or suggest assigning respective weights to links and nodes within the network, changing the weights according to availability of resources, and determining that the path has the lowest combined weight from the first connection endpoint to the second connection endpoint.

Newly added independent claim 21 is directed to a packet network. The claim is supported by The Applicant's specification.

"...the networking technology employed at the source and/or destination access nodes (e.g., Asynchronous Transfer Mode (ATM), Multi-Protocol Label Switching (MPLS), Frame Relay (FR), Time Division Multiplexing (TDM), Synchronous Optical NETwork (SONET), and Wavelength Division Multiplexing (WDM) among others, etc.)..."

- Applicant's specification page 10, paragraph 2

The Applicant submits that it is a well known fact that a Multi-Protocol Label Switching (MPLS) network is a packet network.

Wickham discloses a Time Division Multiplex (TDM) network. The Applicant submits that it is a well known fact that a TDM network is not a packet network. Therefore, Wickham does not teach, disclose, or suggest a packet network.

Therefore, the applicant's independent claims 1, 11, and 21 are patentable over the Wickham reference. Because each of the Applicant's independent claims are patentable, the Applicant respectfully submits that all of the Applicant's claims are patentable, and, respectfully request the allowance of same.

## CONCLUSION

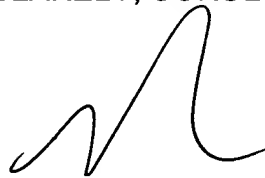
Applicant respectfully submits that all rejections have been overcome and that all pending claims are in condition for allowance.

If there are any additional charges, please charge Deposit Account No. 02-2666. If a telephone interview would in any way expedite the prosecution of this application, the Examiner is invited to contact Robert B. O'Rourke at (408) 720-8300.

Respectfully submitted,

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